

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

| | | |
|-------------------------------------|---|-------------------------------|
| DAVID JAWORSKI, SARAH KROTH, |) | |
| MAGGIE "MARS" ROBINSON, PATRICK |) | |
| ROMANO, |) | |
| |) | |
| Plaintiffs, |) | 23-cv-2240 |
| |) | |
| v. |) | |
| |) | Honorable Nancy L. Maldonado |
| CITY OF CHICAGO, SGT. JAMES |) | |
| TRIANAFILLO, #264, LUIS LAURENZANA, |) | |
| #19637, DAVID FLOYD, #13262, |) | Magistrate Jeffrey T. Gilbert |
| LEONARD SHOSHI, #236, CHARLES |) | |
| FLASTER, #15498, and |) | |
| SUPERINTENDENT BROWN |) | |
| |) | |
| Defendants. |) | |

INITIAL STATUS REPORT FOR REASSIGNED CASE

1. Nature of the Case

a. Attorneys of Record for each party:

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- b. Federal Jurisdiction is properly invoked pursuant to the Civil Rights Act, 42 § 1983, 28 U.S.C. § § 1331, and 1343. Supplemental jurisdiction is invoked pursuant to 28 U.S.C. § 1367. Diversity jurisdiction is not at issue in this case.
- c. Plaintiffs have brought claims pursuant to 42 U.S.C. § 1983 for Excessive Force, Violation of the First Amendment, Violation of the Equal Protection Clause of the Fourteenth Amendment, Conspiracy to Deprive Plaintiff of Constitutional Rights, Unlawful Search and Seizure under the Fourth and Fourteenth Amendments, Failure to Intervene and Unlawful Policy and Practice. Additionally, Plaintiffs has brought state law claims for violations of the Illinois Constitution, assault, battery, conspiracy, *respondeat superior*, and indemnification pursuant to 735 ILCS 10/9-102. Defendants have not answered the Complaint but deny violating Plaintiffs' constitutional or state law rights.
- d. Plaintiff seeks compensatory and punitive damages; reasonable attorneys' fees, costs, and expenses pursuant to 42 § 1988; and any further relief this Court may deem appropriate and just.
- e. All defendants have been served.

2. Discovery and Pending Motions

- a. There are no motions currently pending.
- b. There is no discovery schedule set at this time.

- c. The parties conducted preliminary discovery in *Protesters in Support of Black Lives et al v. City of Chicago, et al*, 20-cv-6851, for the limited purposes of identifying previously unidentified defendants. This included production of video, documents, and limited interrogatories. The parties have not yet exchanged initial disclosures and the vast majority of discovery still needs to be completed, including written discovery and depositions of the parties, and expert discovery.
- d. There have not yet been any substantive rulings issued in the case.
- e. Defendants state that it is premature for them to evaluate what motions they intend to file until Plaintiffs file a complaint specific to this action. The complaint docketed at Docket Entry 2 is the original complaint (out of five total) that Plaintiffs filed in case number 20-cv-6851, along with dozens of additional individuals who are not participating in this lawsuit. Now that case number 20-cv-6851 has been severed into 15 new cases, most of the allegations in the complaint docketed at Docket Entry 2 have nothing to do with the claims raised by Plaintiffs Jaworski, Kroth, Robinson, and Romano. As such, Defendants respectfully request that this Court order Plaintiffs to file an amended complaint specific to their claims, as Chief Judge Pallmeyer and Judge Durkin have done in the protest-related cases they were reassigned after the Executive Committee's severance order. *See Fouche v. Grossklas*, No. 1:23-cv-2232 (Durkin, J.); *Crosby v. Rodriguez*, No. 1:23-cv-2236 (Pallmeyer, C.J.).

3. Trial

- a. Plaintiffs have demanded trial. Defendants will demand trial by jury.
- b. There is no trial date scheduled.
- c. The parties have not filed a pretrial order.
- d. The parties anticipate the trial to last approximately seven to ten days.

4. Settlement, Referrals, and Consent

- a. On February 3, 2021, Plaintiffs' counsel provided a settlement demand on behalf of Plaintiffs and all plaintiffs in *Protesters in Support of Black Lives v. City of Chicago*, 20-cv-6851. Plaintiffs' counsel intend to issue an updated demand on behalf of Plaintiffs.
- b. Prior to the severance of 20-cv-6851, discovery supervision was referred to Magistrate Judge Gilbert. Discovery supervision has not been referred to the Magistrate Judge specific to this matter and this case has not been referred to the Magistrate Judge for a settlement conference.
- c. The parties do not request a settlement conference at this time.
- d. The parties do not unanimously consent to proceeding before the Magistrate Judge.

5. Other

- a. Plaintiffs' claims were initially filed as part of *Protesters in Support of Black Lives v. City of Chicago*, 20-cv-6851, which included significantly more plaintiffs and defendants. Pursuant to Judge Coleman's order dated April 6, 2023, that matter was severed into fifteen separate cases, including this matter before the Court. While a limited amount of the preliminary discovery conducted in 20-cv-6851 served the purposes of identifying defendants in this matter, the parties have yet to conduct discovery specific to Plaintiffs' claims.

Date: April 28, 2023

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